



General Assembly

January Session, 2005

Raised Bill No. 6885

LCO No. 3239

03239_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE ADMINISTRATIVE PARDONS PROCESS
AND THE DUTIES OF THE BOARD OF PARDONS AND PAROLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (j) of section 54-124a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (j) The chairperson, in consultation with the executive director, shall
5 adopt regulations, in accordance with chapter 54, concerning:

6 (1) Parole revocation and rescission hearings that include
7 implementing due process requirements;

8 (2) An administrative pardons process that allows an applicant
9 convicted of a crime to be granted a pardon with respect to such crime
10 without a hearing, unless a victim of such crime requests such a
11 hearing, if such applicant was:

12 (A) Convicted of a misdemeanor and (i) such conduct no longer
13 constitutes a crime, (ii) such applicant was under twenty-one years of
14 age at the time of conviction and has not been convicted of a crime

15 during the [ten] five years preceding the date on which the pardon is
16 granted, or (iii) such conviction occurred prior to the effective date of
17 the establishment of a program under sections 17a-692 to 17a-701,
18 inclusive, section 46b-38c, 53a-39a, 53a-39c, 54-56e, 54-56g, 54-56i or 54-
19 56j for which the applicant would have been eligible had such program
20 existed at the time of conviction, provided the chairperson determines
21 the applicant would likely have been granted entry into such program;
22 or

23 (B) Convicted of a violation of section 21a-277, 21a-278 or 21a-279
24 and such applicant has not been convicted of a crime during the five
25 years preceding the date on which the pardon is granted, provided
26 such date is at least [five] ten years after the date of such conviction or
27 such applicant's release from incarceration, whichever is later; and

28 (3) Requiring board members assigned to pardons hearings to issue
29 written statements containing the reasons for rejecting any application
30 for a pardon.

31 Sec. 2. Subsection (n) of section 54-124a of the general statutes is
32 repealed and the following is substituted in lieu thereof (*Effective*
33 *October 1, 2005*):

34 (n) The chairperson of the Board of Pardons and Paroles shall: (1)
35 Adopt an annual budget and plan of operation, (2) adopt such rules as
36 deemed necessary for the internal affairs of the board, [(3) adopt
37 regulations, in accordance with chapter 54, for the administration of
38 the Interstate Parole Compact, and (4)] and (3) submit an annual report
39 to the Governor and General Assembly.

40 Sec. 3. Subsection (e) of section 54-125e of the general statutes is
41 repealed and the following is substituted in lieu thereof (*Effective*
42 *October 1, 2005*):

43 (e) If such violation is established, the board may: (1) Continue the
44 [sentence] period of special parole; (2) modify or enlarge the conditions

45 of special parole; or (3) revoke the sentence of special parole.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	54-124a(j)
Sec. 2	<i>October 1, 2005</i>	54-124a(n)
Sec. 3	<i>October 1, 2005</i>	54-125e(e)

Statement of Purpose:

To revise the eligibility provisions for applicants for administrative pardons, delete the requirement that the chairperson adopt regulations for the administration of the Interstate Parole Compact and make a technical change concerning special parole.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]